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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) Criminal No. 3-07-70366 BZ
Plaintiff,)
v.)
MANUEL DEJESUS-PINEDA,)
a/k/a Juan Carlos Garcia,)
Defendant.)

**[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
FROM JUNE 29, 2007 TO JULY 18, 2007**

The parties appeared before the Honorable Bernard Zimmerman on June 29, 2007.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §

3161(b), and under Federal Rule of Criminal Procedure 5.1, from June 29, 2007 to July 18, 2007, in light of the need for the defendant's counsel to obtain and review discovery. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for

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counsel to obtain and review the discovery with the defendant.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from June 29, 2007 to July 18, 2007 outweigh the best interest of the public and the defendant in a speedy trial. *Id.* § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from June 29, 2007 to July 18, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. The Court schedules a preliminary hearing on July 18, 2007, at 9:30 a.m.

IT IS SO STIPULATED.

DATED: July 13, 2007

/s/

DATED: July 13, 2007

/s/

IT IS SO ORDERED.

DATED:

THE HON. BERNARD ZIMMERMAN
United States Magistrate Judge

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